

Suspension of Constitutional Rule CP89(a)

SUMMARY

- 1.1 In September 2014, Council established an Investigating and Disciplinary Committee (IDC) and a Disciplinary Appeals Committee (DAC) in accordance with the Local Authorities Standing Orders (England) Regulations 2001. New regulations have subsequently been produced. Under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015, Council will be required to consider new procedures to be used in the event of any future investigations into senior officers at its meeting in July.
- 1.2 Given the imminent replacement of the 2001 regulations, it would not be appropriate to appoint new members to the IDC or DAC as part of the Constitutional Appointments. However, an ongoing matter would make it appropriate for existing appointees to be retained on those committees up to and, if necessary, beyond the implementation of the new arrangements. This would enable any ongoing matters to be concluded through the processes under which they were commenced.
- 1.5 To retain those members appointed to the IDC and DAC by Council on 17 September 2014 requires a suspension of Rule CP89(a), which precludes the appointment of members to committees beyond the subsequent Annual Meeting of Council.

RECOMMENDATION

- 2.1 To suspend Rule CP89(a) of the Council Constitution specifically and exclusively in relation to the appointment of members to the Investigating and Disciplinary Committee and Disciplinary Appeals Committee, as agreed by Council on 17 September 2014.

REASONS FOR RECOMMENDATION

- 3.1 To ensure the council is able to conclude ongoing matters appropriately.

OTHER OPTIONS CONSIDERED

- 5.1 None.

This report has been approved by the following officers:

Legal officer	Charlotte Hutton, Solicitor
Financial officer	N/A
Human Resources officer	N/A
Estates/Property officer	N/A
Service Director(s)	Janie Berry, Director of Legal and Democratic Services
Other(s)	N/A

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Background papers:	None

List of appendices:	Appendix 1 – Implications
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IMPLICATIONS

Financial and Value for Money

1.1 None.

Legal

2.1 Approval of the report would enable existing processes which have been commenced under the 2001 regulations, as detailed in paragraph 1.1 of the report, to be concluded appropriately.

Personnel

3.1 None.

IT

4.1 None

Equalities Impact

5.1 None.

Health and Safety

6.1 None

Environmental Sustainability

7.1 None.

Property and Asset Management

8.1 None.

Risk Management

9.1 None.

Corporate objectives and priorities for change

10.1 None.